

Customer No. 026418			
Received from FORM PTO-1390		Transmittal Letter to the United States Designated/Elected Office (DO/EO/US)	
Page 1			
Attorney's Docket No.:	GK-EIS-1113/500593.20106		
U.S. Application No.:	10/591,260	Confirmation No.	9340
International Application No.:	PCT/EP2005/050917		
International Filing Date:	MARCH 02, 2005	02 MARCH 2005	
Priority Date Claimed:	MARCH 02, 2004	02 MARCH 2004	
Title of Invention:	EARPHONE		
Applicant(s) for (DO/EO/US):	Susanne EWERT, Markus HOHL, Joachim SCHOLZ and Katrin BODE		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

[] 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.

[X] 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.

[] 3. This express request to begin national examination procedures [35 U.S.C. 371 (f)]. The submission must include items (5), (6), (9), and (21) indicated below.

[] 4. The US has been elected (Article 31).

[] 5. A copy of the International Application as filed [35 U.S.C. 371(c)(2)]

a) [] is attached hereto (required only if not communicated by the International Bureau).

b) [] has been communicated by the international Bureau.

c) [] is not required, as the application was filed in the United States Receiving Office (RO/US)

[] 6. An English language translation of the International Application as filed 35 U.S.C. 371(c)(2)]

a) [] is attached hereto

b) [] has been previously submitted under 35 U.S.C. 154(d)(4).

[] 7. Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]

a) [] are attached hereto (required only if not communicated by the international Bureau).

b) [] have been communicated by the international Bureau.

c) [] have not been made; however, the time limit for making such amendments has **NOT** expired.

d) [] have not been made and will not be made

[] 8. An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)]

[X] 9. An **EXECUTED Oath or declaration of the inventor(s)** [35 U.S.C. 371(c)(4)]

[] 10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)]

Items 11. to 20. Below concern other document(s) or information included:

[] 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98

[] 12. An Assignment document to **Sennheiser electronic GmbH & Co. KG** for recording. A separate cover sheet (PTO-1595) in compliance with 37 CFR 3.28 and 3.31 is included. **TO FOLLOW LATER**

[X] 13. A preliminary amendment

[] 14. An Application Data Sheet under 37 CFR 1.76

[X] 15. A substitute specification with abstract (attached to the preliminary amendment)

[] 16. A change of power of attorney and/or address letter

[] 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.

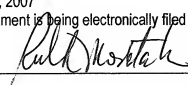
[] 18. A second copy of the published International Application under 35 U.S.C. 154 (d)(4).

[] 19. A second copy of the English language translation of the International Application under 35 U.S.C. 154 (d)(4).

[X] 20. (other items or information) **371 Formalities Letter dated April 20, 2007**

Electronically filed on: April 26, 2007

I hereby certify that this Amendment is being electronically filed on April 26, 2007 with the Patent and Trademark Office in Alexandria, VA 22313-1450



/Ruth Montalvo Date: 04/26/2007

U.S. Application No. (if known, see 37 C.F.R. 1.50): **10/591,260**International Application No.: **PCT/EP2005/050917**Attorney's Docket No: **GK-EIS-1113/500593.20106**

The following fees are submitted:

	Applicant use	Office use only
<input type="checkbox"/> 21 Basic national fee (37 CFR 1.492(a))	\$ 300.00	\$
<input type="checkbox"/> 22 Examination fee (37 CFR 1.492(b))		
If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Articles 33(1)-(4)	\$ 0.00	\$
All other situations.....	\$200.00	
<input type="checkbox"/> 23 Search fee (37 CFR 1.492(c))		
If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Articles 33(1)-(4)	\$ 0.00	\$
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority	\$100.00	
International Searching Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by IB	\$400.00	
All other situations.....	\$500.00	
TOTAL OF ABOVE CALCULATIONS:		\$

☐ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.521(c) or (b) or computer program listing filed in an electronic medium) 37 CFR 1.492(j)). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.

Total sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number).	Rate
- 100 =	/50 =		X \$250.00
Claims	Number Filed	Number Extra	Rate
Total Claims:	6	- 20	0
Independent Claims:	3	- 3	0
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 360.00
TOTAL OF ABOVE CALCULATIONS:			\$

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☒ 30 months from the earliest claimed priority date [37 CFR 1.492(e)]

TOTAL OF ABOVE CALCULATIONS: \$130.00

☐ Applicant claims Small Entity Status [See 37 CFR 1.27] Reduction by 1/2 for filing by small entity

SUBTOTAL: \$130.00

Processing fee of \$130.00 for furnishing the English Translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date [37 CFR 1.492(f)]

TOTAL NATIONAL FEE: \$130.00

Fee for recording the enclosed assignment [37 CFR 1.21(h)] The assignment must be accompanied by an appropriate cover sheet (PTO-1595) [37 CFR 3.28, 3.31] \$ 40.00 per property

TOTAL FEE(S): \$130.00

AMOUNT TO BE REFUNDED	\$
AMOUNT TO BE CHARGED	\$

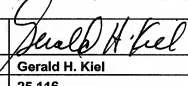
(Please note the filing fee is based on the claims in the Preliminary Amendment)

- a) ☐ Check in the amount of \$.00 to cover the above fees is enclosed.
- b) ☒ Please charge my Deposit Account No 50-1529 in the amount of \$ 130.00 to cover the fee..
- c) ☒ The Commissioner is hereby authorized to charge any additional fees required with this submission or to credit any overpayment to Deposit Account No: 50-1529.)
- d) ☐ Fee are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 36 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Gerald H. Kiel, Esq.
Reed Smith LLP (Customer No. 026418)
599 Lexington Avenue
New York, NY 10022-7650

Signature: 
Attorney: **Gerald H. Kiel**
Reg. No. **25,116**
Date: **April 26, 2007**



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/591,260

FIRST NAMED APPLICANT

Susanne Ewert

ATTY. DOCKET NO.

GK-EIS-1113/500593.20106

INTERNATIONAL APPLICATION NO.

PCT/EP05/50917

I.A. FILING DATE

03/02/2005

PRIORITY DATE

26418

REED SMITH, LLP

ATTN: PATENT RECORDS DEPARTMENT

599 LEXINGTON AVENUE, 29TH FLOOR

NEW YORK, NY 10022-7650

CONFIRMATION NO. 9340

371 FORMALITIES LETTER



OC00000023462507

Date Mailed: 04/20/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 08/31/2006
- English Translation of the IA filed on 08/31/2006
- Copy of the International Search Report filed on 08/31/2006
- Information Disclosure Statements filed on 08/31/2006
- Request for Immediate Examination filed on 08/31/2006
- U.S. Basic National Fees filed on 08/31/2006
- Priority Documents filed on 08/31/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

DUE

JUNE 20, 2007

LXS

Executed Oath on Tech

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/591,260	PCT/EP05/50917	GK-EIS-1113/500593.20106

FORM PCT/DO/EO/905 (371 Formalities Notice)